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Social and human rights questions: human rights

Letter dated 29 July 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Singapore to the United Nations addressed to the President of the Economic and Social Council

On behalf of the 51 delegations listed below, I have the honour to request that the attached joint statement be circulated as an official document of the substantive session of 1998 of the Economic and Social Council, under agenda item 14 (g):

Islamic State of Afghanistan, People's Democratic Republic of Algeria, Antigua and Barbuda, Commonwealth of the Bahamas, State of Bahrain, People's Republic of Bangladesh, Barbados, Belize, Kingdom of Bhutan, Brunei Darussalam, People's Republic of China, Democratic Republic of the Congo, Arab Republic of Egypt, Republic of Ghana, Republic of Guyana, Republic of Indonesia, Islamic Republic of Iran, Iraq, Jamaica, Japan, Hashemite Kingdom of Jordan, State of Kuwait, Lebanese Republic, Socialist People's Libyan Arab Jamahiriya, Malaysia, Maldives, Mongolia, Kingdom of Morocco, Union of Myanmar, Federal Republic of Nigeria, Sultanate of Oman, Pakistan, Republic of the Philippines, State of Qatar, Republic of Korea, Rwandese Republic, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Kingdom of Saudi Arabia, Republic of Singapore, Republic of the Sudan, Republic of Suriname, Kingdom of Swaziland, Syrian Arab Republic, Republic of Trinidad and Tobago, United Arab Emirates, United Republic of Tanzania, Socialist Republic of Viet Nam, Republic of Yemen and Republic of Zimbabwe.

The representative of the Hashemite Kingdom of Jordan will be introducing the enclosed joint statement when the general segment of the Economic and Social Council considers the report of the Commission on Human Rights on its fifty-fourth session.

(*Signed*) Karen **Tan**
Chargé d'affaires a.i.

98-22260 (E) 300798

Annex

Joint statement on the question of the death penalty

Islamic State of Afghanistan, People's Democratic Republic of Algeria, Antigua and Barbuda, Commonwealth of the Bahamas, State of Bahrain, People's Republic of Bangladesh, Barbados, Belize, Kingdom of Bhutan, Brunei Darussalam, People's Republic of China, Democratic Republic of the Congo, Arab Republic of Egypt, Republic of Ghana, Republic of Guyana, Republic of Indonesia, Islamic Republic of Iran, Iraq, Jamaica, Japan, Hashemite Kingdom of Jordan, State of Kuwait, Lebanese Republic, Socialist People's Libyan Arab Jamahiriya, Malaysia, Maldives, Mongolia, Kingdom of Morocco, Union of Myanmar, Federal Republic of Nigeria, Sultanate of Oman, Pakistan, Republic of the Philippines, State of Qatar, Republic of Korea, Rwandese Republic, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Kingdom of Saudi Arabia, Republic of Singapore, Republic of the Sudan, Republic of Suriname, Kingdom of Swaziland, Syrian Arab Republic, Republic of Trinidad and Tobago, United Arab Emirates, United Republic of Tanzania, Socialist Republic of Viet Nam, Republic of Yemen and Republic of Zimbabwe.

We would like to place on record our disassociation from Commission on Human Rights resolution 1998/8 on the question of the death penalty, as contained in the report of the Commission on Human Rights on its fifty-fourth session (E/1998/23), for the following reasons:

(a) There is no international consensus that capital punishment should be abolished. Article 6, paragraph 2, of the International Covenant on Civil and Political Rights states that "sentence of death may be imposed only for the most serious crimes". This view was also reflected in the joint statement contained in document E/1997/106, in which 34 delegations disassociated themselves from a similar Commission on Human Rights resolution (resolution 1997/12) and the joint letter contained in document E/CN.4/1998/156, in which 51 delegations expressed their reservations prior to the adoption of Commission on Human Rights resolution 1998/8;

(b) Capital punishment has often been characterized as a human rights issue in the context of the right of the convicted prisoner to life. However, this must be weighed against the rights of the victims and the right of the community to live in peace and security;

(c) The question of whether to retain or abolish the death penalty should be carefully studied by each State, taking fully into account the sentiments of the people and the state of crime and criminal policy. It is inappropriate to make a universal decision on this question or to propose such action in the forum of an international organization.

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Agenda item 1
Adoption of the agenda and other organizational matters

Themes for the high-level segment and the coordination segment of the substantive session of 1999 of the Economic and Social Council

Note by the Secretary-General

1. The present note is submitted to facilitate the consultations among Member States on the themes for the high-level segment and the coordination segment of the substantive session of 1999 of the Economic and Social Council.

I. Theme for the high-level segment

2. In paragraph 53 of annex I to its resolution 50/227, the General Assembly decided that, with regard to the theme for the general debate of the high-level segment of the Economic and Social Council, "the President of the Council, following consultations with Member States and, through the Secretary-General, with members of the Administrative Committee on Coordination, should present a proposal for a topical theme for the following year at the annual substantive session of the Council. At such session, the Council shall undertake consultations on the theme for the high-level segment with a view to reaching a decision, if possible, during the substantive session, but not later than at a resumed session in the autumn following the annual session."

A. Proposals of Member States

3. The Secretary-General consulted Member States through a note verbale dated 19 May 1998, as a result of which he received the following proposals for a theme:

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(a) Group of 77: Globalization and the international financial and monetary system, lessons learned from the Asian crisis;

(b) European Union: Advancement of women and implementation of the Beijing Platform for Action in the context of global economic integration, with a specific focus on the employment of women;

(c) Japan: Advancement of women;

(d) United States of America: Natural disaster reduction;

(e) Ecuador: Financing for development;

(f) Panama: Evaluation of business'/corporations' responsibility for human sustainable development.

B. Proposals of bodies of the United Nations system

4. The Assistant Secretary-General of the Department of Economic and Social Affairs of the United Nations Secretariat consulted the relevant bodies of the United Nations system through a letter dated 16 April 1998, as a result of which he received the following proposals for a theme:

(a) United Nations Educational, Scientific and Cultural Organization: Democracy as a springboard for sustainable development;

(b) Food and Agriculture Organization of the United Nations: The socio-economic implications of globalization;

(c) United Nations Industrial Development Organization: Investment and technology cooperation for sustainable development;

(d) World Health Organization: Coordinating the work of the United Nations system to promote international solidarity and to reinforce the contribution women make to building societies with affordable and equitable access to productive goods and services for all;

(e) World Food Programme: Creating a base for development through disaster or famine preparedness, mitigation and relief;

Fostering an enabling environment for development – human resources development and management;

Ensuring the functioning of a social safety net for needy populations to counter economic crises, effects of the acquired immunodeficiency syndrome (AIDS) epidemic, civil conflict and resulting human rights abuses such as the spread of child labour, trafficking and bonded labour;

Economic recovery of countries that have undergone market collapse, or socio-economic hardship being experienced by newly emerging market economies in the Commonwealth of Independent States/Eastern bloc;

Effects of El Niño on the natural resources, agricultural production and economy of third world countries.

C. Proposals of intergovernmental bodies

5. The Council was requested by the Fourth World Conference on Women[1] and by the General Assembly[2] to devote one high-level segment, one coordination segment and one operational activities segment to the advancement of women and the implementation of the Beijing Platform for Action before the year 2000. Accordingly, in 1997, the cross-cutting theme of the coordination segment of the Council was mainstreaming the gender perspective into all policies and programmes in the United Nations system, and in 1998, the theme for the high-level part of the operational activities segment is "Implementation of the Beijing Platform for Action and the role of operational activities in promoting, in particular, capacity-building and resource mobilization for enhancing the participation of women in development". Should the Council decide to devote its high-level segment in 1999 or 2000 to the advancement of women, it might wish to bear in mind that the General Assembly also invited the Council to consider including the question of violence against women at the high-level segments of one of its forthcoming sessions, in the context of its discussion on the human rights of women (resolution 52/86, para. 15).

6. In the United Nations New Agenda for the Development of Africa in the 1990s (UN-NADAF) (Assembly resolution 46/151, annex), the Council was requested to devote part of its high-level segment to the implementation of the New Agenda before the Assembly's final review and assessment of that implementation in the year 2002.[3] The Council could consider examining the implementation of UN-NADAF as part of its high-level segment in 1999, in 2000 or in 2001, to serve as an input into the final review by the General Assembly. It may be noted that UN-NADAF envisaged that the Council's examination should take place two years before the review by the Assembly. Should the Council wish to adhere to this sequence, it could take up the implementation of UN-NADAF in 2000.

7. The United Nations Conference on Human Settlements (Habitat II) and the General Assembly invited the Council to consider devoting one high-level segment before the year 2001 to human settlements and the implementation of the Habitat Agenda.[4]

8. The Council was also requested by the Commission on Human Rights to examine the issue of the right to development at one of its high-level segments.[5]

D. Elements to be considered in selecting the theme

9. In selecting the theme for its high-level segment, the Council may take into account the following considerations:

(a) The Council may choose a major economic and/or social policy theme of topical interest;

(b) The theme should allow for an integrated and interdisciplinary approach;

(c) The theme should enable the Council to receive the maximum benefit from ministerial participation and from the presence of heads of agencies, funds, programmes and other bodies of the United Nations system, including the international trade and financial institutions;

(d) The deliberations of the high-level segment should provide political impetus for building areas of convergence and facilitate the consideration of the issues in question, including the emergence of new recommendations on the issues in relevant forums (Assembly resolution 45/264, annex, para. 5 (d) (i));

(e) It may be recalled that the Agenda for Development specified that the Council, at the high-level segment, should consider "major issues for international cooperation in the economic, social and related fields. The high-level segment should be used for improving the synergy between the economic and social sectors of the United Nations system. In doing so, the Council should also contribute towards enhancing the interaction between the United Nations, the Bretton Woods institutions and the World Trade Organization" (Assembly resolution 51/240, para. 252 (a));

(f) It may also be recalled that, in the event a matter of high urgency and priority subsequently emerges that would qualify as a theme for the high-level segment, the Council may, as appropriate, consider that theme as an additional topic for discussion at the high-level segment (Assembly resolution 50/227, annex I, para. 53).

10. Box 1 highlights the themes examined by the Council at its high-level segments in previous years.

Box 1. Themes examined by the Council at its high-level segments

1992: "Enhancing international cooperation for development; the role of the United Nations system".

1993: "World Summit for Social Development, including the role of the United Nations system in promoting social development".

1994: "An agenda for development".

1995: "Development of Africa, including the implementation of the United Nations New Agenda for the Development of Africa in the 1990s".

1996: "International cooperation against the illicit production, sale, demand, traffic and distribution of narcotics and psychotropic substances and related activities".

1997: "Fostering an enabling environment for development: financial flows, including capital flows, investment and trade".

1998: "Market access: developments since the Uruguay Round, implications, opportunities and challenges, in particular for developing countries and the least developed among them, in the context of globalization and liberalization".

II. Possible common themes for the follow-up of major international conferences during the coordination segment

11. In its agreed conclusions 1995/1 (A/50/3/Rev.1, chap. III, para. 22), the Economic and Social Council invited the Secretary-General, taking into account the suggestions made in his 1995 report on coordinated follow-up to major international conferences in the economic, social and related fields (E/1995/86, para. 57) and based on the work of relevant subsidiary bodies and through consultations with Member States, relevant organs of the United Nations system and specialized agencies, to offer suggestions for possible common themes for follow-up to major international conferences for consideration and decision by the Council. The Council decided that, in that segment, it should carry out a review of cross-

cutting themes common to major international conferences and/or contribute to an overall review of the implementation of the programme of action of a United Nations conference. The Council also decided that the theme for the follow-up to conferences would be chosen at the Council's previous substantive session to allow for adequate preparations.

A. Proposals of Member States

12. The Secretary-General consulted Member States through a note verbale dated 19 May 1998, as a result of which he received written proposals from the following:

(a) Group of 77: The role of employment in poverty eradication;

(b) European Union (prefers only one theme and proposes the following, in order of preference):

(i) The development of common indicators, with a view to harmonizing and rationalizing the set of development indicators used by the United Nations system, including the Bretton Woods institutions, *inter alia*, to measure progress towards the international development targets emanating from global United Nations conferences;

(ii) UNAIDS;

(c) Japan: The development of Africa.

13. It may also be recalled that during the debates at the Council's May session on integrated and coordinated implementation and follow-up of the major United Nations conferences and summits, it was considered that the Council, possibly at a future coordination segment, could review ongoing work in the area of statistics and indicators in order to ensure coherence and stimulate further advances in the area of social indicators, in particular.[6]

B. Proposals by organs, organizations and bodies of the United Nations system

14. The Assistant Secretary-General for Economic and Social Affairs consulted the organs, organizations and bodies of the United Nations system through a letter dated 16 April 1998, as a result of which he received the following proposals for themes:

(a) United Nations Educational, Scientific and Cultural Organization: Youth as actors and beneficiaries of development;

(b) Food and Agriculture Organization of the United Nations: The United Nations system and the eradication of poverty;

(c) United Nations Industrial Development Organization: Public-private sector partnership and multilateral development cooperation;

(d) International Civil Aviation Organization: Coordination/cooperation in the United Nations system, including global and regional funding institutions, versus resource distribution within the system;

(e) World Health Organization: Capitalizing on the strengths of adolescents and youth, especially young women, as change agents in building the foundations for a more just, equitable and prosperous society, and their potential to lift entire populations up the development ladder;

(f) World Food Programme: Dwindling resources for development and the role of United Nations organizations in helping countries in need to set up strategies and priorities and to ensure investment of resources in the sectors that will assist in the countries' long-term self-reliance;

From crisis to recovery: the role of the United Nations in the rehabilitation of the socio-economic infrastructure of countries emerging from armed conflict.

C. Elements to be considered in selecting the theme

15. In selecting a theme for its coordination segment the Council should take the following factors into account:

(a) The theme should be a major cross-cutting outcome of several international conferences in the economic, social or related fields;

(b) The theme should be a subject of operational relevance to a number of organizations of the system and/or a subject in respect of which several functional commissions have been active;

(c) The theme should have a significant policy dimension so as to maximize the benefit that could be derived from the presence of heads of agencies, funds, programmes and other bodies of the United Nations system during the discussions;

(d) The discussion of the theme by the Council and the agreed conclusions on the theme should contribute to enhanced coordination of policies and activities by the United Nations system. The themes examined by the Council at its coordination segments to date are listed in box 2.

Box 2. Themes considered by the Council at its coordination segments

1992: Assistance in the eradication of poverty and support to vulnerable groups, including assistance during the implementation of structural adjustment programmes.

Prevention and control of HIV/AIDS and programmes addressed to the mitigation of its negative socio-economic consequences.

1993: Coordination of humanitarian assistance: emergency relief and the continuum to rehabilitation and development.

Preventive action and intensification of the struggle against malaria and diarrhoeal diseases, in particular cholera.

1994: Science and technology for development.

International cooperation within the United Nations system against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances.

1995: Coordinated follow-up by the United Nations system and implementation of the results of the major international conferences organized by the United Nations in the economic, social and related fields.

1996: Coordination of the United Nations system activities for poverty eradication.

1997: Mainstreaming the gender perspective into all policies and programmes in the United Nations system.

Freshwater, including clean and safe water supply and sanitation.

1998: Coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action.

16. The Secretary-General also identified a number of common themes emanating from conferences in paragraph 57 of his 1995 report on coordinated follow-up to major international conferences (E/1995/86), which are listed in box 3. They continue to serve as useful categories for selecting a theme on coordinated follow-up to conferences.

Box 3. Themes identified by the Secretary-General in his 1995 report on coordinated follow-up to major international conferences

(a) A stable macroeconomic policy framework conducive to development;

(b) External debt and finance for development;

(c) International trade and commodities;

(d) Science and technology;

(e) Eradication of poverty and hunger;

(f) Access to productive occupational opportunities, full employment and family incomes;

(g) Gender equality, equity and empowerment of women;

(h) Basic social services for all: primary health care, nutrition, education, safe water and sanitation, population and shelter;

(i) Promoting social integration;

(j) Environment and natural resources;

(k) Africa and special categories;

(l) Participation, democracy, human rights, accountability and partnership with major groups and non-governmental organizations.

17. It should also be emphasized that the Assembly, in its resolutions 45/264 and 48/162, provided for the Council's coordination segment to deal with one or more themes. In its resolution 50/227, the Assembly provided that the Council could give consideration to choosing a second theme dealing with concrete sectoral issues. Thus, in addition to the theme

for follow-up to conferences, the Council may also decide to choose a sectoral theme at its substantive session.

III. Proposals by the Secretary-General

18. In its consideration of the themes for the high-level and coordination segments of the substantive session of 1999, in the light of the proposals made by Member States and the organizations of the United Nations system and the recommendations of various intergovernmental bodies, the Council may wish to take into account the experience gained in 1998 with the convening of the special high-level meeting of the Council with the Bretton Woods institutions, held on 18 April, and the Council's session on integrated and coordinated follow-up of the major United Nations conferences and summits, held from 13 to 15 May.

19. The success of the special high-level meeting with the Bretton Woods institutions has shown that the issues relating to globalization and the international financial and monetary system are best addressed with the full participation of not only the executive heads of the Bretton Woods institutions, but also the policy makers in the financial and monetary fields. It would therefore seem appropriate for the Council, should it decide to hold another special high-level meeting with the Bretton Woods institutions next year, to make use of that occasion to pursue the theme "Globalization and the international financial and monetary system: lessons learned from the Asian crisis".

20. Among the issues that emerged from the Council's session on integrated and coordinated follow-up to the major United Nations conferences in May was the need for a better understanding and improved coordination of the work under way within the United Nations system on the development of indicators. Clearly, the Council could benefit greatly from a dialogue session, of the kind organized in May 1998, on the ongoing work relating to indicators within the United Nations system as well as in other organizations, with the key actors in this field, so that the Council is eventually in a position to express a view on how to promote coordination and coherence in this important area.

21. As regards the theme for the high-level segment, it would seem that a high-level debate on the role of employment in poverty eradication, with special attention to the advancement of women, would be timely, since through such a discussion, the Council could make a significant contribution to the five-year reviews of the implementation of both the Programme of Action of the World Summit for Social Development and the Beijing Platform for Action. In addition to addressing the advancement of women in the strategic context of employment and poverty eradication, a high-level panel discussion during one session on the overall follow-up to the Beijing Conference could be organized during the segment. Such an approach will help focus the Council's discussion on strategic issues without losing sight of the overall context of the Beijing Platform for Action. It would also enable the Council to meet the requests made by the General Assembly.[7]

22. During the coordination segment, the Council could take up the theme "The development of Africa" and review in that context the follow-up to the Secretary-General's report on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871-S/1998/318). Such a discussion would help prepare the ground for the overall review of UN-NADAF by the General Assembly in 2002, including the progress made by the United Nations system in the implementation of UN-NADAF and the contribution to the process of the United Nations Special Initiative on Africa.

Recommendation

23. In the light of the above considerations, the following themes are recommended for the Council's consideration in 1999:

High-level segment:

1. The role of employment in poverty eradication, with special attention to the advancement of women;

2. A high-level panel discussion during one session on: Advancement of women and implementation of the Beijing Platform for Action in the context of global economic integration, with a specific focus on the employment of women.

Coordination segment:

The development of Africa.

Notes

[1] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. 96.IV.13), chap. I, resolution 1, annex II, paras. 313-315.

[2] General Assembly resolution 50/203, para. 23; resolution 51/69, para. 35, and resolution 52/100, para. 32.

[3] When it adopted the United Nations New Agenda for the Development of Africa in the 1990s, the General Assembly decided that the Council should devote part of its high-level segment to the implementation of the Agenda in 1998, and that the Assembly would conduct the final review of UN-NADAF in 2000 (resolution 46/151, para. 43). In its mid-term review of the implementation of UN-NADAF, the Assembly decided that the final review of the New Agenda would take place in 2002 (resolution 51/32, para. 6).

[4] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II, para. 220; General Assembly resolution 52/190, para. 13.

[5] The Commission on Human Rights, in its resolution 1995/17 on the right to development, recommended that the Council dedicate, as early as possible, the high-level segment of one of its substantive sessions to evaluating the implementation of the Declaration on the Right to Development within the United Nations system, including the work of the international financial institutions and other specialized agencies (*Official Records of the Economic and Social Council, 1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A).

[6] Summary by the President of the Council of the Economic and Social Council session on integrated and coordinated implementation and follow-up of the major United Nations conferences and summits (E/1998/90).

[7] See General Assembly resolutions 50/203, para. 23; 51/69, para. 35; and 52/100, para. 32.